IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10723 of 2005

Between:

Smt.N.Bhanumathi Devi, W/o.N.Raghava Rao,
R/o.Hyderabad.

..... PETITIONER

AND

1 The Special officer & Competent Authority,

Urban Land Ceiling, Hyderabad.
2 State of AP rep.by its Secretary,

Revenue Department Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or any appropriate writ or writs or directions / more particularly in the nature of writ of Mandamus declaring the inaction of the respondents in considering the application of the petitioner dt.31-3-2005 for regularisation of surplus lands admeasuring 6918 sq.yds in sy.No.128/1 of Barabonda village now Yusuguda Hyderabad under G.O.Ms.NO.455 as illegal, arbitrary and unconstitutional and pass such other order or orders as deem fit and proper.

Counsel for the Petitioner :Mr.B.VIJAYSEN REDDY

Counsel for the Respondent : GP FOR REVENUE

The Court at the stage of admission made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.10723 OF 2005

ORDER :

The petitioner claims to be the absolute owner of 6,918 sq. yards of land situated in Sy.No.128/1 of Borabanda Village, now called Yosufguda of Hyderabad. It is stated that the said land falls within the Hyderabad Agglomeration forming part of 16 acres of land purchased by her late father under Registered Sale Deeds. It is stated that her father died intestate in the year 1973 and thereafter as per the preliminary decree passed in a suit for partition she is entitled to 1/7th share out of the said land. It appears on a declaration made by her mother under the provisions of the Urban Land Ceiling (Regulation) Act, the mother of the petitioner was declared as surplus holder to the extent of 9,000 sq.mts. The petitioner claims that 6,918 sq. yards of land which fell to her share forms part of the surplus land and as per the Government Orders she is entitled for regularization of the surplus land which is in her possession and therefore she made a representation dated 31-3-2005 before the 1st respondent.

This writ petition is filed alleging that the 1st respondent failed to consider her application dated 31-3-2005.

I have heard the learned Counsel for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents. The learned Government Pleader states that since the representation of the petitioner is pending with the 1st respondent, the same will be considered and appropriate orders will be passed in accordance with law.

Having regard to the facts and circumstances of the case, without expressing any opinion as to the entitlement of the petitioner for regularization of the lands in question, the Writ Petition is disposed of with a direction to the 1st respondent to consider the representation of the petitioner dated 31-03-2005 and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of four weeks from the date of receipt of this order.

29th April, 2005

rns

To

1 The Special officer & Competent Authority,

Urban Land Ceiling, Hyderabad.

2 The Secretary,

State of Andhra Pradesh,

Revenue Department,

Secretariat, Hyderabad.

3 Two CCs to G.P.for revenue, High Court Buildings,

High Court of A.P., Hyderabad.

4 Two CD copies

5 One CC to MR.VIJAYSEN REDDY